IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO: 11839 of 2005

Between:

A. Rajesham (E.320744). S/o Devaiah,
R/o Mantheni, Karimnagar District.

..... PETITIONER

AND

1 The Regional Manager, APSRTC, Karimnagar, Karimnagar District.
2 The Depot Manager, APSRTC, Mantheni Depot, Mantheni,

Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, Order or direction, preferably one in the nature of Writ of mandamus declaring the impugned order of the 2nd respondent dated 13-4-2005 in his proceeding No.02/95(5)/2005-MNTY, as highly arbitrary, illegal and unjust and consequently direct the respondents to reinstate the petitioner into service forthwith.

Counsel for the Petitioner: MR.J.KANAKAIAH

Counsel for the Respondents: SMT.P.RAJANI REDDY

The Court at the stage of admission made the following:

ORDER:

This writ petition is filed by the petitioner, who is working as a Conductor, aggrieved by the order of the second respondent dated 13-04-2005 placing him under suspension pending enquiry.

2. It is stated that there was a check when the petitioner was conducting the bus No.AP10Z 6795 on 07-04-2005 on the route Nacharam at stage 22 at 08-10 hours. The check showed that there were certain alleged irregularities committed by the petitioner. Therefore, the petitioner was charge sheeted and was suspended pending enquiry. Aggrieved by that, the petitioner has come up with the present writ petition.

3. According to the learned counsel for the petitioner the default or defect, if any, committed by the petitioner was only a non-making of entries in SR with reference to certain of the passenger as alleged, though the petitioner has already issued tickets and collected the cash. By omission to make entries in SR, no loss would be caused to the Corporation. Therefore, there is no irregularity committed by the petitioner as alleged. Therefore, seeks suspension of the suspension order.

4. As the impugned suspension order was passed pending enquiry, this Court cannot interfere with the said order by considering the charges on merit as the proceedings are still at the preliminary stage.

5. In the above circumstances, the writ petition is dismissed without going into the merits of the contentions advanced by the petitioner. However, the respondents are directed to complete the enquiry within a period of eight weeks from the date of receipt of a copy of this order and pass appropriate orders.

6. The writ petition is accordingly dismissed. No order as to costs.

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S.ANANDA REDDY, J

07th June, 2005

SKM

To

1 The Regional Manager, APSRTC, Karimnagar, Karimnagar District.
2 The Depot Manager, APSRTC, Mantheni Depot, Mantheni,

Karimnagar District.

3 2 CD copies

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